

SUPREME COURT OF ILLINOIS

COURT CONVENED AT 9:30 A.M., TUESDAY, MAY 11, 2004

THE FOLLOWING MOTIONS WERE PRESENTED AND ORDERS WERE ENTERED AS INDICATED:

PEOPLE'S DOCKET

No. 96392 - People State of Illinois, appellee, v. Vernon Watson, appellant.

Motion by appellee for an extension of time for filing brief to and including June 9, 2004.  
Motion allowed.

Order entered by Justice Freeman.

No. 96773 - In re Robert S., etc. (People State of Illinois, appellee, v. Robert S., appellant).

Motion by appellant for an extension of time for filing reply brief to and including May 22, 2004.  
Motion allowed.

Order entered by Justice Thomas.

No. 96879 - People State of Illinois, appellee, v. Damaris Cuadrado, appellant.

Motion by appellant for bond on appeal.

No. 97292 - In the Matter of D.W., a Minor (People State of Illinois, appellee, v. L.M., appellant).

Motion by appellee for leave to file notice of election pursuant to Supreme Court Rule 315(g) instant. Motion allowed.

Order entered by Justice Freeman.

No. 97439 - People State of Illinois, appellee, v. John A. Driggers, appellant.

Motion by appellee to suspend briefing schedule and to hold case in abeyance pending the United States Supreme Court's resolution of Illinois v. Caballes, No. 03-923. Motion denied.

Order entered by Justice Garman.

No. 97710 - People State of Illinois, appellant, v. James Jones, appellee.

Motion by appellant for an extension of time for filing brief to and including June 2, 2004.  
Motion allowed.

Order entered by Justice Thomas.

CIVIL DOCKET

No. 97218 - Pierre Ferguson, appellant, v. City of Chicago, appellee.

Motion by appellee for an extension of time for filing brief to and including June 8, 2004.  
Motion allowed.

Order entered by Justice Freeman.

No. 97481 - Lula Hobbs, appellee, v. Hartford Insurance Company of the Midwest, etc., appellant.

Motion by appellant for leave to file brief instant. Motion allowed.

Order entered by Justice Rarick.

Nos. 97531 - In re Austin W., a Minor (Timothy D. Berkley,  
97580 etc., appellee, v. The Department of Children and  
Cons. Family Services, appellant) Rosemary Fontaine,  
intervenor/appellee.

Motion by National Association of Social Workers, National Association of Social Workers Illinois Chapter, Lambda Legal Defense and Educational Fund, Inc., The Children and Family Justice Center of Northwestern University School of Law's Bluhm Legal Clinic, and the American Civil Liberties Union of Illinois for leave to file a brief as amici curiae instant in support of appellant. Motion allowed.

Order entered by Justice Rarick.

Motion by Legal Services for Children and the National Center for Lesbian Rights for leave to file a brief as amici curiae instant in support of intervenor/appellant Rosemary Fontaine.  
Motion allowed.

Order entered by Justice Rarick.

No. 97695 - International Union of Operating Engineers, Local 148, AFL-CIO, appellee, v. The Department of Employment Security (Central Illinois Public Service Company, appellant).

Motion by the Department of Employment Security to join in this appeal as an appellant and for an extension of time for filing brief to and including June 2, 2004. Motion allowed.

Order entered by Justice Rarick.

No. 98309 - Lee Anheuser et al., appellees, v. Prudential Property and Casualty Insurance Company, appellant.

Motion by appellant for direct appeal to this Court pursuant to Supreme Court Rule 302(b).

No. 98312 - American Home Products Corporation et al., movants, v. Hon. Nicholas G. Byron, Judge of the Circuit Court of Madison County, et al., respondents.

Motion by movants to withdraw the motion for a supervisory order and motion for stay of trial court proceedings. Motion allowed.

Order entered by Justice Rarick.

#### LEAVE TO APPEAL DOCKET

No. 97544 - People State of Illinois, respondent, v. Robert Stechly, petitioner.

Motion by petitioner to cite additional authority instant. Motion allowed.

Order entered by Justice Freeman.

No. 97896 - Donald Shipp et al., petitioners, v. County of Kankakee, etc., et al., respondents.

Motion by petitioner for leave to cite additional authority instant. Motion allowed.

Order entered by Justice Kilbride.

No. 98006 - In re Kelsey K., a Minor (JoAnn Weidner-Kasheimer, petitioner, v. Amy Brummitt, respondent).

Motion by petitioner, pro se, requesting a copy of the trial court record from the Circuit Court of Madison County in Weidner-Kasheimer v. Brummitt, case No. 97 F 216, and the oral arguments from the Appellate Court, Fifth District, in Weidner-Kasheimer v. Brummitt, case No. 5-02-0536, recorded on June 10, 2003, be filed in this case. Motion denied.

Order entered by Justice Rarick.

No. 98181 - People State of Illinois, respondent, v. Floyd Robinson, petitioner.

Motion by petitioner, pro se, for leave to supplement petition for leave to appeal instant. Motion allowed.

Order entered by Justice Rarick.

No. 98248 - Gary M. Finnin, petitioner, v. First National Bank of Chicago Heights/Olmphias Fields, etc., respondent.

Motion by petitioner for an extension of time for filing petition for leave to appeal to and including May 13, 2004. Motion allowed.

Order entered by Justice Freeman.

No. 98311 - People State of Illinois, respondent, v. Darrin K. Smith, petitioner.

Motion by petitioner for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by Justice Rarick.

No. 98332 - People State of Illinois, respondent, v. Christopher Rickard, petitioner.

Motion by petitioner for leave to file petition for leave to appeal instant. Motion denied.

Order entered by Justice Freeman.

No. 98336 - People State of Illinois, respondent, v. Mark Wilkinson, petitioner.

Motion by petitioner for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by Justice Freeman.

No. 98337 - Arlene Otis, petitioner, v. Paige Bus Enterprises, respondent.

Motion by petitioner, pro se, for an extension of time for filing petition for leave to appeal to and including May 14, 2004. Motion allowed.

Order entered by Justice Freeman.

No. 98340 - People State of Illinois, petitioner, v. Larry Kranz, respondent.

Motion by petitioner for leave to file within seven days from the date of this Court's order a petition for leave to appeal. Motion allowed. Petition for leave to appeal due on or before May 18, 2004.

Order entered by Justice Thomas.

No. 98385 - Bozena Kubinski, respondent, v. Ignacy Kubinski, petitioner.

Motion by petitioner, pro se, for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by Justice Freeman.

#### MISCELLANEOUS RECORD

M.R.19015 - In re: Julie Jane McBride. Disciplinary Commission.

Motion by Julie Jane McBride for leave to withdraw petition for reinstatement. Motion allowed.

Order entered by Justice Kilbride.

SUPREME COURT OF ILLINOIS

TUESDAY, MAY 11, 2004

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

ADVISEMENT DOCKET

No. 97639 - In re: the Estate of Betty Sue Roberts, etc.  
(Linda S. Bradshaw et al., respondents, v. Billy  
D. Roberts, petitioner).

Motion by petitioner for leave to file a motion  
for reconsideration of the order denying petition  
for leave to appeal. Motion denied.

Order entered by the Court.

LEAVE TO APPEAL DOCKET

No. 98163 - People State of Illinois, petitioner, v. Darrell  
Tolbert, respondent.

Motion by respondent for release on recognizance  
bond or monetary bond pending disposition of  
petition for leave to appeal. Motion allowed.  
The defendant-respondent, Darrell Tolbert, shall  
be released on posting bond in the amount of  
\$2,000.00, 10% provision to apply.

Order entered by the Court.

No. 98233 - Alan Libbra, petitioner, v. The Madison County  
Regional Board of School Trustees et al., etc.,  
respondents.

Motion by respondent Board of Education of  
Staunton Community Unit School District No. 6 to  
expedite consideration of the petition for leave  
to appeal and for certain other relief.

The motion to expedite the petition for leave to  
appeal is allowed. The petition for leave to  
appeal is denied. The request for clarification  
is denied. The matter remains pending in the  
circuit court.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

CALL OF THE DOCKET, TUESDAY, MAY 11, 2004

No. 94971 - People State of Illinois, appellant, v. Brian Cunningham, appellee. Appeal, Appellate Court, First District.

Oral argument by Heather Weiss for appellant and by Dennis Doherty for appellee. Submitted. Agenda 1.

No. 96159 - People State of Illinois, appellee, v. Brian Roberson, appellant. Appeal, Appellate Court, Second District.

Oral argument by Jack Hildebrand for appellant and by Mary A. Fleming for appellee. Submitted. Agenda 2.

No. 96218 - People State of Illinois, appellant, v. Boris P. Bonutti, appellee. Appeal, Appellate Court, Fifth District.

Oral argument by Mary Beth Burns for appellant and by Lou J. Viverito for appellee. Submitted. Agenda 3.

No. 96229 - In re D.T., a Minor, appellant (People State of Illinois, appellant, v. Brenda T., appellee). Appeal, Appellate Court, First District.

Oral argument by Carrie Fung and Nancy Kisicki for appellant and by Richard T. Cozzola for appellee. Submitted. Agenda 4.